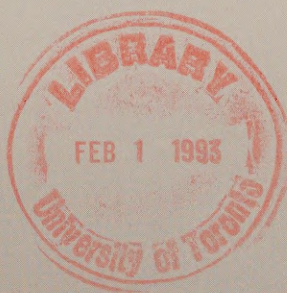


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Annual Report 1991 -1992



Ontario Advisory Council on Disability Issues

En français

Ce document est aussi disponible en français sous le titre *Rapport annuel 1991 - 1992*.

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LETTER TO THE MINISTER OF CITIZENSHIP

The Honourable Elaine Ziemba
Minister of Citizenship with
Responsibility for Human Rights,
Race Relations, Disability Issues
and Seniors' Issues

Dear Ms. Ziemba:

It is my pleasure to present you with the Annual Report of the Ontario Advisory Council on Disability Issues for the twelve month period ending March 31, 1992.

The activities undertaken by Council in 1991/1992 continue to be varied and wide-ranging, reflecting as they do the interests of the many communities we attempt to serve.

Although much remains to be done in achieving the full equality and integration of Ontarians with disabilities, we take some encouragement from the increasing public awareness and understanding of persons with disabilities and of disability issues in our province.

We look forward to advising you on issues throughout the coming year and to facing the challenges with you.

Sincerely,

A handwritten signature in dark ink, reading "Shirley Van Hoof M.D." in a cursive script.

Shirley Van Hoof, M.D.
Chairman

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CHAIRMAN'S REMARKS

Council remains convinced that the formative years of children with disability are profoundly influenced by social attitudes and community services.

This has been an exciting first year as Chairman. The Government of Ontario has been aggressive in its introduction of new legislation, much of which will be of benefit to persons with disabilities. This is most welcome and Council has been pleased to take part in the consultation process.

The most telling characteristic of the activities of the past year may well be the variety of disability issues addressed by Council. As was the case in 1990/1991, children's issues were a main focus. Council remains convinced that the formative years of children with disability are profoundly influenced by social attitudes and community services. Council plans to publish a five-volume Children's Issues series, focusing on specific child-related concerns, in the fall of 1992.

Council produced and distributed comprehensive briefs on significant government initiatives in employment equity, long-term care, advocacy and housing. For the first time in recent memory, Council also became involved in matters of justice, including commentary on the Canadian Constitution, the administration of justice in Ontario, and the national Court Challenges Program.

Again this year, Council was pleased to contribute to the national meeting of provincial advisory councils, and to the meeting's communiqué which set out a unified position among Canadian provinces and territories.

In undertaking its work, Council was well served by its members and staff, to whom a large measure of thanks is owed.

Council had the pleasure of welcoming six new members in 1991/1992: Mary Fortier of Timmins, Marcia Hampton Rioux of Toronto, Huguette Ouellette-Tries of Ottawa, James Roots of Kanata, John Southern of Scarborough and Jim Spencley of Toronto.

Council also expressed its appreciation to its seven retiring members: Bob Loveless who was chairman for two years; Anne Musgrave who was a vice-chair; Rodney Carpenter; Ron Cooper; Chief Roy McDonald; Ian McGillivray; and Ross Robinson.

In particular, I want to extend the sincere appreciation of Council to its immediate past Chairman Bob Loveless for his tireless and ongoing commitment to all people with disabilities in Ontario.

The efforts of all members, past and present, have contributed to Council achievements. By the same token, much work remains to be done, and only the most dedicated of efforts will bring us closer to the day when full equality and integration becomes a reality for persons with disabilities in our province.

A handwritten signature in cursive script that reads "Shirley Van Hoof M.D.".

Shirley Van Hoof, M.D.
Chairman

COUNCIL

A voice to government for persons with disabilities.

COUNCIL

HISTORY

Council's predecessor, the Ontario Advisory Council on the Physically Handicapped, was first established in 1975 by an Order-in-Council of the Government of Ontario.

In 1987, the Council was renamed the Ontario Advisory Council for Disabled Persons, its mandate having been expanded to include all Ontario persons with disabilities.

Following a renewed 5-year mandate in 1990 and a widening agenda of disability issues and interests, the Council was renamed the Ontario Advisory Council on Disability Issues in 1991.

COUNCIL

MANDATE

The mandate of the Ontario Advisory Council on Disability Issues is to advise the Government of Ontario, through the Minister of Citizenship with responsibility for disability issues, and to respond to specific requests from the Minister for advice.

As a voice to government for persons with disabilities, Council ensures that the needs and concerns of persons with disabilities are brought to the attention of government as policies are developed and programs are delivered.

Council continually monitors a wide range of issues and policies affecting all persons with disabilities, seeking change on their behalf.

Council does not speak in isolation, voicing an opinion only after appropriate consultation with disability groups, community agencies, service providers, government decision-makers, individuals, their families and any other interested parties.

In addition to these ongoing activities, Council has produced three major reports on transportation, independent living and employment since 1987. The reports are **The Freedom to Move is Life Itself** (1987), **Independent Living: The Time is Now** (1988), and **Workable: Fulfilling the Potential of People with Disabilities** (1990).

Most recently, Council has been studying issues affecting children with disabilities and their families. In December 1990, Council hosted a two-day forum in Toronto on children's issues. Progress on these issues is set out in section on Children's Issues of this annual report.

Council meets six times a year. These meetings sometimes involve public consultations in locations across the province.

Council is not a funding body, nor is it directly involved in the delivery of programs or services.

COUNCIL

MEMBERS

The Council comprises 14 members who are selected from across the province. They represent a diversity of backgrounds and occupations. All have disabilities or represent persons with disabilities, and all are active in their communities. Members do not represent any agency or organization but serve as individuals.

Shirley Van Hoof, M.D.

London

Chairman

Patricia Hatt

Toronto

Vice-Chair

Nancy Stone

Niagara Falls

Vice-Chair

Denis Bergeron

Thunder Bay

Earl Black

Sudbury

Mary Fortier

Timmins

Partap Grewal

Toronto

Sharon Hoenen

Bridgenorth

Massey Lombardi

Downsview

Huguette Ouellette-Tries

Ottawa

Marcia Hampton Rioux

Toronto

James Roots

Kanata

John Southern

Scarborough

Jim Spencley

Toronto

HIGHLIGHTS

Parents, children and service providers expressed a range of concerns.

H I G H L I G H T S

CHILDREN'S ISSUES

Issues associated with children with disabilities were a primary focus of Council activities over the past year.

Council initiatives on these issues began in December, 1990, with a two-day forum in Toronto. Parents, children and service providers expressed a range of concerns, from the availability of services, to the barriers caused by public attitudes.

Council has made substantial progress in its review of these and other children's issues, and intends to complete its examination and reporting in 1992/1993.

Council's series of reports, collectively entitled **Children's Is-**

sues, will be comprised of five separate volumes:

Proceedings of a Two-Day Forum: Parents, service providers and young people with disabilities speak out on a range of issues affecting their lives.

The Nishnawbe-Aski Nation: A survey of children with disabilities in the 46 First Nation communities of Ontario's Far North.

Mental Health Services for Children: A review of mental health services available for children in Ontario.

Family Profiles: An in-depth look at 10 families and how they care for their children with disabilities.

Education Forum: A two-day forum examining the quality of guidance counselling provided to students with disabilities.

The first of these, the Forum on Children's Issues, was published in the spring of 1991. Volumes II and III are in the final stages of preparation.

While Council's interests in these issues are broad and varied, its goal remains to promote an improved understanding and sensitivity to the needs of children with disabilities, and to advocate for remedies on their behalf.



HIGHLIGHTS

EMPLOYMENT EQUITY

Council maintains its long-standing interest in employment issues as they affect persons with disabilities.

Council's June 1990 comprehensive report on employment

issues — **Workable: Fulfilling the Potential of People with Disabilities** — proposed the introduction of employment equity legislation designed to ensure fair access to job opportunities for people with disabilities. The 75 recommendations contained in the report included proposals for timetables, an arm's length enforcement agency, training and employment preparation programs, recruitment practices and services, removal of barriers in the workplace, income issues, changes to sheltered employment, education, public awareness and public attitudes.

Council was encouraged by the appointment of an Employment Equity Commissioner in 1991, and by the announced intention of the government to proceed with employment equity legislation.

At its December, 1991 meeting, Council reviewed the government position paper, **"Working Towards Equality: The Discussion Paper on Employment Equity Legislation"**. Based on this review, Council refined its position on employment equity, and submitted a

thorough brief to the Minister of Citizenship on a variety of employment issues in January, 1992.

Council continues to promote the need for employment equity legislation and looks forward to its introduction and public review.

Council supports a program for employment equity based on employer-generated plans, goals and timetables, to be subject to government standards and timetables.

A system of sanctions and fines is favoured, as is employer responsibility for the normal cost of accommodation.

The phased implementation of employment equity should be determined according to sector — public and private — and by number of employees.

Council also urges an improved definition of disability, to be determined by a committee including persons with disabilities.

HIGHLIGHTS

ADVOCACY LEGISLATION

After a thorough review of the Advocacy Act (Bill 74) Council advised the Minister of Citizenship of its support for the formalization of advocacy services for vulnerable persons.

Council believes that advocacy is but one element in a broader systemic reform which must include: the need for assistance to attain community supports and services; an understanding of the conditions that lead to vulnerability; recognition of the impact of the closing of institutions; and the need to have services and personal care tailored to the instructions of the consumers.

Council expressed concern over the prospect that the Advocacy Act might be used to deny individual or group rights, such as the removal of homeless people from public places, and urged a safeguarding of those rights.

Council also sees the need for the public to have a fuller understanding of the role of the advocate. The advocate is an intervenor who only expresses the wishes of the vulnerable person, not their own wishes or opinions. Advocates do not try to influence or interpret the decision of the vulnerable person.

It was also proposed that any new system of advocacy not interfere with the valuable role played by informal advocates such as family members or volunteers, and that funding be maintained for systemic advocacy groups.

H I G H L I G H T S

LONG-TERM CARE

Council continues to actively contribute to the re-direction of long-term care. Council's March, 1988 report, **Independent Living: The Time is Now**, was important in laying the foundation for a new emphasis on community-based independent living. Similarly, Council's February 1992 response to the Government's **Redirection of Long-Term Care and Support Services in Ontario** advances this commitment to change.

Council supports and encourages government efforts to redirect public resources from institutional facilities to community based services. In so doing, how-

ever, Council also restates its opposition to the exclusion of those with psychiatric or developmental disabilities from long-term care reform.

In its February, 1992 brief, Council supports single points of access for community services, provided consumers have the right to choose the services appropriate to their own needs, as well as the right to refuse services.

Council supports the direct funding option and is of the view that persons requiring independent living assistance should be free to choose the paid provider of that assistance, which may include family members. Council also supports day programs which would provide: stimulating environments with the opportunity for social interaction; workplace programs to assist persons with disabilities at their place of work; and improved respite services for all caregivers.

Council urges that the following core group of services for persons with disabilities be made available in every community:

integrated homemaker services, respite care, outreach attendant care, meals on wheels, information and referral services, counselling and family support, adult day programs, chronic home care and homemaker services.

Council favours a single-tiered system in which all persons who need support services, to achieve independent living, should receive them without charge and without regard to ability to pay.

In terms of the government's new Health and Personal Support Program, Council recommends that independent living assistance be made available regardless of life settings: at home, at school, at work or elsewhere. Services should be portable, flexible enough to respond to rapidly changing needs, and managed by the consumer through direct government funding.

Council feels that direct funding is a necessary option that enables persons with disabilities to manage and direct their own independent living assistance.

It provides the greatest amount of flexibility and best serves individual needs.

Council urges that the training of attendants be the sole responsibility of consumers or chosen surrogates.

Council also urges an improved variety of supportive housing and affordable housing, all barrier-free in design.

Finally, Council is of the view that the redirection of long-term care be firmly based on a non-medical model, and that all elements of the new model serve to enhance consumer control of their own affairs.

HIGHLIGHTS

ASSISTIVE DEVICES

F

irst established in 1982/83, the Assistive Devices Program of the Ontario Ministry of Health

provides financial assistance for the purchase of medically-necessary equipment and supplies by persons with long-term physical disabilities. In addition, this program plays an extremely important role in supporting the goals of independent living, long-term care and employment equity.

During 1991/1992, Council recommended specific changes to the program:

- improved local access to health professionals who prescribe devices;

- improvement in the quality and safety standard of devices;
- a speedier process for assessment and delivery;
- an expanded eligibility to include persons with learning disabilities;
- inclusion of the cost of equipment repair;
- training for users; and some standardization of the manufacture of device components.
- costs for mobility devices be kept in check through direct consumer purchasing on the open market;
- the recycling of used equipment not be promoted, but the rental of new or used equipment should be encouraged;
- warranties covering parts and labour be improved;
- program exclusions based on age or type of disability be eliminated;
- the status of scooters as eligible mobility devices be confirmed.

In addition, Council urged: the assumption of performance testing by industry associations; the

promotion of more Canadian-made product; and program eligibility of gastro-urinary supplies.

HIGHLIGHTS

HOUSING

In response to a request by the Minister of Housing, Council produced a comprehensive review of the Ministry's 1991 discussion paper, **"A Housing Framework for Ontario: Issues for Consultation"**.

Council outlined to the Minister its fundamental principles governing housing for persons with disabilities, which focus on issues of accessibility, availability, independent living and adequate supply.

On the basis of those principles, Council provided comment on 34 separate housing issues, 16 of which dealt directly with persons with disabilities. Among the most significant of these were:

- a requirement for a minimum percentage of accessible units per housing project, with flexibility to meet the needs of individual communities;
- barrier-free design for all areas of housing developments, both private and common, internal and external;
- improved consultation with residents with disabilities in the planning of developments;
- tenant selection processes which blend characteristics of income with those of special needs, in order to avoid segregation within the community;
- similarly, the avoidance of housing segregated by any demographic characteristic in favour of a representative demographic cross-section of the community;
- support services for residents of assisted housing should not be linked to that housing, but obtained independently; and
- a move to independent living in an integrated environment.

HIGHLIGHTS

MOBILITY

Council's comprehensive report on transportation, — undertaken jointly with the Ontario Advisory Council on Senior Citizens in 1987 and entitled **The Freedom to Move is Life Itself**— continues to serve as an important reference point for the work of Council and others interested in transportation issues affecting persons with disabilities.

Over the past year, Council dealt with four separate transportation issues: the accessibility of Toronto Transit Commission subway stations; a transportation identification card; mobility devices such as scooters; and accessible taxis.

Council commented on a Toronto Transit Commission report entitled **Selection of Key Stations to be Made Accessible to Persons With Disabilities**. In reviewing the proposal to make 21 of 65 subway stations accessible, Council urged the accessibility of buildings adjacent to such stations, time frames for station conversion, and longer term plans for conversion of the entire subway system.

A plan by the British Columbia coalition of People with Disabilities for an optional, universally-available transportation identification card was reviewed. Council did not support the concept of such a card, noting its potential for the social segregation of persons with disabilities. The negative prospects of the identification of specific disabilities and the loss of individual privacy were also noted by Council.

In a February letter to the Minister of Citizenship, Council set out its views on safety issues affecting mobility devices such as scooters. Council rejected any mandatory flag or similar device for the purpose of identifying mobility-aided pedestrians, citing the need for the consistent treatment of all pedestrians, regardless of ability.

It was brought to the attention of Council in March of 1992, that some accessible taxi companies were experiencing serious financial difficulties. Approximately 30 Ontario municipalities have accessible taxi services. In a letter to the Minister of Citizenship, Council commended the government for its support for the **Wheelchair Accessible Taxi Demonstration Program** and urged a government wide-policy whereby all government ministries would patronize those taxi companies offering government-sponsored accessible vehicles. Council noted that provincial ministries could realize substantial savings, in some cases, by using accessible taxis.

H I G H L I G H T S

JUSTICE ISSUES

Over the past year, Council provided its own contribution to the ongoing public discussion concerning constitutional and related justice issues in Canada and Ontario.

Council commented to the Select Committee on Ontario in Confederation on the discussion paper **"Changing for the Better: An Invitation to Talk About A New Canada"**. Council applauded the Committee's efforts to find a consensus on national unity, and outlined broad principles in which such efforts might be successful. Included among these was the principle that the rights of persons

with disabilities should not be contained in a separate bill of rights, but remain incorporated in the Canadian Charter of Rights and Freedoms.

Council also responded to a request of the Ontario Attorney General to review the work of his Advisory Committee on the Administration of Justice. Council set out five specific concerns: the credibility of witnesses; learning disabilities among juvenile offenders; needs of the developmentally handicapped; access to the courts; and cost efficiencies. In addition, Council urged the Attorney-General to ensure the future inclusion of persons with disabilities in the membership of any similar advisory committee.

On March 24, 1992, Council requested the Minister of Citizenship to exert her influence in an attempt to reinstate the national Court Challenges Program. Terminated by the Government of Canada on February 27, 1992, this program was an important means by which disadvantaged groups and individu-

als attained access to the courts in matters having to do with the Charter of Rights and Freedoms.

H I G H L I G H T S

ACCESSIBILITY

In response to a request by the Canadian Human Rights Commission, Council reviewed the report **Unequal Access: An Accessibility Survey of Selected Federal Offices**.

In May 1991, Council prepared a brief in response to the report and noted that accessibility is a right guaranteed under both the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act. Nonetheless, Canadians continue to face formidable obstacles when visiting some federal government offices.

Council recommended that legislation should require fully accessible government facilities within an agreed time frame, and that the issue of undue hardship, while potentially applicable to privately-owned premises, should have no application to publicly-owned buildings.

Council also recommended that the Government of Ontario adopt the Canadian Standards Association standards on accessibility.

Council has expressed interest in reviewing both the Ontario Building Code and the Ontario Human Rights Code as part of its future work plan, which will bring the issue of accessibility to buildings and facilities into sharper focus.

H I G H L I G H T S

EDUCATING FUTURE PHYSICIANS

In the spring of 1991, Council submitted a brief to the **Educating Future Physicians for Ontario** project, the purpose of which was to review the relevance of medical school curricula in Ontario.

Noting its own intention to review professional education issues in the near future, Council urged recognition of the current lack of knowledge among medical practitioners of disability-related issues, and of the merits of a holistic approach to the assessment and treatment of disability generally.

Council's submission was based on its overall desire to sensitize all decision-makers, including medical professionals, to the needs of persons with disabilities. It urged a medical school curriculum based on principles that would encourage persons with disability in their quest for increased self-assurance, self-management, independent living and community support. Council's December, 1990 forum on children with disabilities was cited as a useful source of information on issues for physician education, such as: respect for parent care-giving; parental need for guidance and information; and the impact of inappropriate placements.

Council also recommended a shift in the focus of rehabilitation education, emphasizing the development of abilities and the means for adaptation to external environments.

NATIONAL MEETING OF ADVISORY COUNCILS

NATIONAL MEETING

5 COUNCILS MEET IN EDMONTON

At the May, 1990 meeting in Quebec City of seven provincial advisory councils representing people with disabilities and disability issues, a unanimous motion called on the Prime Minister to convene a first ministers conference on equality and opportunity for Canadians with disabilities.

On September 6, 1991, the Prime Minister released the federal government's **National Strategies Program for Persons with Disabilities**. The December, 1991 meeting in Edmonton of provincial advisory

councils was held in order to develop a common response to this program, and to focus on constitutional issues of concern to Canadians with disabilities.

Five of Canada's seven provincial advisory councils participated in the meeting. Led by the Chairperson of the Alberta Premier's Council on the Status of Persons with Disabilities, the meeting sought to develop a unified outlook on some common issues.

With Ontario's active participation, the meeting communiqué set out the agreed upon provincial position of seven beliefs:

- The Councils support a united Canada where strong federal leadership sets national standards for programs and policies which affect people with disabilities. At the same time, the Councils agree that services are best delivered locally by those organizations which are closest to those being served.

- In ongoing debates in Canada about government structures, the Government of Canada must commit to support cost-shared programs.
- Canada needs ongoing national legislated and cost-shared programs to assure that services for people with disabilities are accessible, comprehensive, universal and truly portable across Canada.
- Public policies in Canada must provide for true equality of opportunity. Social and economic integration for people with disabilities means that they will have guaranteed universal access to supports, allowing them to individually achieve their own independence. This means the elimination of barriers created by existing policies and programs.
- New partnerships need to be formed to bring about a whole new level of participation in society by people with disabilities. The partnerships include not just the different levels of government, but employers, media, people with disabilities, and many others.
- There must be a major shift from “support in principle”, so often expressed, to actual allocation of resources to activate genuine change.
- Finally, Canada and its provinces must act so that people with disabilities are automatically included in major consultations in the country, including constitutional consultations. Barriers to consultation are not acceptable in any way. So long as those barriers exist, they represent a major limitation in the citizenship of Canadians with disabilities.

REPORTS ISSUED

REPORTS ISSUED

FOUR MAJOR BRIEFS

Council produced four major briefs during the year:

- Brief on employment equity in Ontario.
- Brief on the Advocacy Act (Bill 74).
- Brief on the redirection of long-term care, 1992.
- Brief on a housing framework for Ontario.

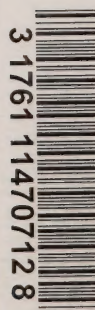
Previously published Council reports are also available:

- **Forum on Children's Issues, 1991.** Proceedings of a two-day consultation with children with disabilities, their parents and service providers.
- **Independent Living, The Time is Now, 1988.** A discussion paper concerning the future of independent living assistance in the province.
- **The Freedom to Move is Life Itself: A Report on Transportation in Ontario, 1987.** A comprehensive report on equal access to transportation services for all residents of the province.

Copies of these publications are available from Council offices at 700 Bay Street, Suite 203, Toronto, Ontario M5G 1Z6, or by contacting Publications Ontario at 880 Bay Street, Toronto, Ontario M7A 1N8. The toll-free telephone number of Publications Ontario is 1-800-668-9938.



ONTARIO ADVISORY COUNCIL ON DISABILITY ISSUES



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